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REMARKS

This response is intended as a full and complete response to the final Office Action mailed November 29, 2005. In the Office Action, the Examiner notes that claims 1-34 are pending in the application and that claims 1-2, 12-14, 24-28 and 33-34 are rejected and claims 5-11, 17-23, 31 and 32 are objected to. However, the applicants note that claims 3-4, 15-16 and 29-30 have been previously canceled. Thus, only claims 1-2, 5-14, 17-28 and 31-34 were pending as of the mailing date of the 11/29/05 Office Action. By this response, the Applicants have amended claims 1, 6-7, 13, 18, 25, 27 and 32-33; and canceled claims 5, 17 and 31.

In view of both the amendments presented above and the following discussion, the Applicants submit that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. §102.

It is to be understood that the Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to the Applicants' subject matter recited in the pending claims. Further, the Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

Amendments to the Claims

By this response, Applicants have amended claims 1, 6-7, 13, 18, 25, 27 and 32-33; and canceled claims 5, 17 and 31.

The amendments to the claims are fully supported by the Specification, Drawings and Claims as originally filed. For example, the amendments to the claims are supported at least by originally filed claims 5, 17 and 31.

Thus, no new matter has been added and the Examiner is respectfully requested to enter the amendments.

Allowable Subject Matter

The Examiner has objected to dependent claims 5-11, 17-23 and 31-32 as being dependent upon a rejected base claim, but has indicated that they would

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be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and if no art rejection can be applied.

The Applicants respectfully thank the Examiner for indicating the allowable subject matter with respect to these claims.

In response, the Applicants have incorporated the limitations of objected claims 5, 17 and 31 into independent claims from which these claims depend, i.e., claims 1, 13 and 27, respectively. Thus, claims 1, 13 and 27 should now be allowable. Furthermore, the Applicants have also thus obviated any final rejections against these claims.

Moreover, the Applicants have also incorporated similar limitations into claims 25 and 33. The Applicants respectfully submit that the thus amended claims 25 and 33 now contain subject matter substantially similar, and thus patentable for substantially similar reasons, to amended claims 1, 13 and 17.

35 U.S.C. §102 Rejection of Claims 1-2, 12-14, 24-28 and 33-34

The Examiner has rejected claims 1-2, 12-14, 24-28 and 33-34 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,363,065 to Thornton et al. (hereinafter "Thornton"). Applicants respectfully traverse the rejection.

Claims 1-2, 12-14, 24 and 28

As discussed above, claims 1, 13 and 27, as amended, are now allowable. Moreover, claims 2, 12, 24 and 28 depend directly or indirectly from independent claims 1, 13 and 27, and recite additional features thereof. As such, these dependent claims are now also allowable.

Thus, the rejection against these claims is obviated and the Examiner is respectfully requested to withdraw the rejection.

Claims 25-26 and 33-34

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. The Thornton reference fails to disclose each and every element of the claimed invention, as arranged in the claim.

Specifically, the Thornton reference fails to teach or suggest at least "wherein said UDP/IP packets transport at least one modified Real-time Transport Packet (RTP) packet, wherein said modified RTP packet comprises at least one of: a Payload field for containing a voice traffic; a Call Identifier field for identifying a caller; a Length Indicator field for identifying the size of the payload field; and a Header Error Check field for identifying errors in the Call Identifier field and the Length Indicator field" as recited in claims 25 and 33 as amended.

The Thornton reference discloses an apparatus related to "a telephony gateway intended for use, e.g., paired use, at opposite ends of a data network connection, in conjunction with at each end, e.g., a private branch exchange (PBX) for automatically routing telephone calls, e.g., voice, data and facsimile, between two peer PBXs over either a public switched telephone network (PSTN) or a data network" (abstract). Specifically, the Thornton reference discloses (emphasis added below):

"Separate pools (not specifically shown) of data and control buffers are provided in the gateway for dynamic allocation and use by any requesting process. These pools are managed by buffer manager 593. The control buffer pool, which contains a number of 268-byte buffers, are used to send signaling messages between HDLC (high-level data link controller (D channel)) driver 592 and various processes, specifically, Q.921 process 572, Q.931 process 577, T1AB process 575 and call handler process 560—all of which will be discussed below. In addition, other processes can utilize these buffers for sending inter-process control communication amongst themselves. The data buffers, having a number of 256-byte buffers, are used to transport data messages between Ethernet driver 533 and VPH process 517. Each of these buffers is sufficiently large to accommodate an RTP header (12 bytes long) and 240 ensuing bytes of voice samples, which, in the absence of using G.711 compression, stores approximately 30 msec of voice samples." (column 22, lines 42-60)

Thus, the Thornton reference discloses a buffer which is sufficiently large to accommodate an RTP header, but does not teach or suggest a modified RTP packet. Furthermore, the foreign reference also does not teach or suggest a modified RTP packet which comprises at least one of "a Payload field for containing a voice traffic; a Call Identifier field for identifying a caller; a Length

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Indicator field for identifying the size of the payload field; and a Header Error Check field for identifying errors in the Call Identifier field and the Length Indicator field” as recited in claims 25 and 33 as amended.

As such, Applicants submit that independent claims 25 and 33 are not anticipated and fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder. Furthermore, claims 26 and 34 depend, either directly or indirectly, from independent claims 25 and 33 and recite additional features thereof. As such and at least for the same reasons as discussed above, Applicants submit that these dependent claims are also not anticipated and fully satisfy the requirements of 35 U.S.C. §102 and are patentable thereunder.

Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

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CONCLUSION

Thus, Applicants submit that none of the claims presently in the application are anticipated under the provisions of 35 U.S.C. §102. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Stephen Guzzi, at (732) 383-1405, or Eamon J. Wall, at (732) 530-9404, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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Eamon J. Wall
Registration No. 39,414
Attorney for Applicants

PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Facsimile: 732-530-9808